

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Darren Starr

v.

Civil No. 04-cv-02-SM

Warden, Northern
Correctional Facility, et al.

REPORT AND RECOMMENDATION

_____Plaintiff Darren Starr filed a motion for a preliminary injunction (document no. 32) in which he alleged that he had been moved from the New Hampshire Department of Corrections' Northern Correctional Facility in Berlin to the Special Housing Unit at the New Hampshire State Prison in Concord in retaliation for the exercise of his First Amendment rights. The Court held a hearing on the motion on March 22, 2005, after which the Court advised the parties that it would reserve its report and recommendation on the motion until after the completion of Starr's then pending disciplinary proceeding.

The Defendants have now informed the Court that Starr's disciplinary proceeding has been completed, the disciplinary charges filed against Starr have been dismissed, and Starr has

been returned to the Northern Correctional Facility in Berlin (document no. 51). Accordingly, the Court recommends that Starr's motion for a preliminary injunction (document no. 32) be deemed moot as his complaints therein have been addressed.

Any objections to this Report and Recommendation must be filed within ten (10) days of receipt of this notice. Failure to file objections within the specified time waives the right to appeal the district court's order. See Unauthorized Practice of Law Comm. v. Gordon, 979 F.2d 11, 13-14 (1st Cir. 1992); United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986).

James R. Muirhead
United States Magistrate Judge

Date: April 25, 2005

cc: Darren Starr, pro se
Mary E. Maloney, Esq.